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GENERAL APPLICATION

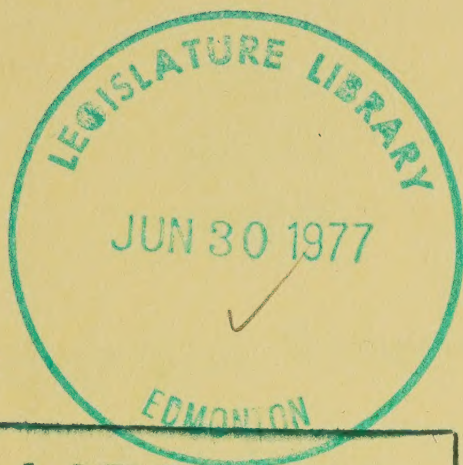
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# **Synopsis of Statutes of General Application**

ENACTED AT THE  
SECOND SESSION  
OF THE  
THIRTEENTH LEGISLATURE

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**February 9th to March 29th,  
1956**

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Prepared by  
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— and —

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# **SYNOPSIS OF STATUTES OF GENERAL APPLICATION**

**Enacted at the Second Session of the  
Thirteenth Legislature**

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## **AGRICULTURAL SCHOOLS ACT AMENDMENT ACT**

(Chapter 1)

(Bill 11)

This Act amends *The Agricultural Schools Act*, being chapter 79 of the Revised Statutes of Alberta, 1942.

Section 9 is amended to permit the regular annual meeting of the Board of Agricultural Education to be held at any time before the 30th day of June in each year. Heretofore this section required that such meeting be held "in the month of June".

This Act came into force on March 29, 1956.

## **AGROLOGISTS ACT AMENDMENT ACT**

(Chapter 2)

(Bill 5)

This Act amends *The Agrologists Act*, being chapter 19 of the Statutes of Alberta, 1947.

Section 19 is amended to enable graduates in agriculture from recognized universities who are actively engaged in farming to become members of the Alberta Institute of Agrologists. Membership was previously restricted to graduates who were employed in teaching or in employments other than farming.

Section 20 is amended to enable agrologists in training to practise agrology without the guidance of a member of the Institute. Heretofore such a person was allowed to practise only under the guidance of an agrologist.

Form A is amended to make the Form consistent with the amendment to section 19.

This Act came into force on March 29, 1956.



**ALBERTA MUNICIPAL FINANCING  
CORPORATION ACT**

(Chapter 3)

(Bill 69)

This Act, which is entitled "*The Alberta Municipal Financing Corporation Act*", authorizes the establishment of a corporation consisting of municipalities who become shareholders and the Provincial Government. The capital stock of the corporation will consist of 5,000 common shares of the par value of \$10.00 provided for allotment to the various classes of authorized shareholders.

The business of the corporation will be the purchase and sale of municipal debentures and the raising of money by borrowing for the purpose of purchasing municipal debentures. There is also provision for municipalities leaving money on deposit with the corporation.

The deposit account and the borrowings by the corporation are guaranteed by the Act to the extent of \$10,000,000.00 and \$100,000,000.00 respectively.

This Act came into force on March 29, 1956.

**ALBERTA CO-OPERATIVE RURAL CREDIT ACT  
AMENDMENT ACT**

(Chapter 4)

(Bill 30)

This Act amends *The Alberta Co-operative Rural Credit Act*, being chapter 248 of the Revised Statutes of Alberta, 1942, by repealing section 77. Section 77 provided that a society could not commence business unless and until certain Class B shares of the society had been subscribed and paid for, and also that the powers of the society to provide loans or credits would be suspended and would not be revived unless and until Class B shares had been issued and paid for to a number equal to the number of all the Class A shares issued. This latter provision would apply at any time that the number of Class B shares issued and paid for falls under the number of Class A shares issued to members.

This Act came into force on March 29, 1956.



## **AMUSEMENTS ACT AMENDMENT ACT**

(Chapter 5)

(Bill 66)

This Act amends *The Amusements Act*, being chapter 40 of the Revised Statutes of Alberta, 1942.

Schedule A is amended to remove the amusement tax where the price of admission is not more than 35 cents. In addition the tax for public dances where a fee is charged for each dance or a certain number of dances was fixed at 1 cent per dance so that persons attending such dances would pay tax at a rate in line with that paid by persons attending dances where a general admission fee is charged.

This Act came into force on March 29, 1956.

## **APPROPRIATION ACT, 1956**

(Chapter 6)

(Bill 75)

This Act provides for the payment out of the General Revenue Fund of \$12,132.95 to defray expenses not provided for for the fiscal year ending the 31st day of March, 1955; and for the payment out of the General Revenue Fund of \$15,418,870.07 on account of expenditures for the fiscal year ending the 31st day of March, 1956, and also for the payment out of the General Revenue Fund of \$218,840,585.00 on account of expenditures of the public service for the fiscal year ending the 31st day of March, 1957.

This Act came into force on March 29, 1956.

## **ASSESSMENT DUTIES TEMPORARY SUSPENSION ACT**

(Chapter 7)

(Bill 34)

This Act, which is entitled "*The Assessment Duties Temporary Suspension Act*", provides that the Director of Assessments appointed pursuant to *The Alberta Municipal Assessment Commission Act* need not assess as required by section 3 of *The Pipe Line Taxation Act* or section 3 of *The Electric Power Taxation Act* so long as the tax agreement between the Government of Canada and the Province of Alberta remains in force and the taxes under the above mentioned Acts remain suspended.

This Act came into force on March 29, 1956.



**ASSOCIATED HOSPITALS OF ALBERTA  
ACT AMENDMENT ACT**

(Chapter 8)

(Bill 12)

This Act amends *An Act to Incorporate the Associated Hospitals of Alberta*, being chapter 22 of the Statutes of Alberta, 1948.

Section 2, clause (f) is amended to permit the corporation to acquire, hold and dispose of real property, a power which was not given under the incorporating Act.

This Act came into force on March 29, 1956.

**BRAND ACT AMENDMENT ACT**

(Chapter 9)

(Bill 13)

This Act amends *The Brand Act*, being chapter 89 of the Revised Statutes of Alberta, 1942.

Section 21 is amended to permit an owner of a registered brand to apply an age brand on the shoulder or thigh and on the same side of an animal as the registered brand is applied. The tariff of fees in the Schedule is amended by removing the fee for the search of a brand record.

This Act came into force on March 29, 1956.

**CITY ACT AMENDMENT ACT**

(Chapter 10)

(Bill 71)

This Act amends *The City Act*, being chapter 9 of the Statutes of Alberta, 1951.

Section 315 is amended by the addition of a subsection (4) which permits a city council to lease or sell at less than the fair actual rental or sale value and without the assent of the electors any city lands or buildings if the sale or lease is to the Crown in the right of the Province or to the University of Alberta and is for the purpose of education.

This Act came into force on March 29, 1956.



**CIVIL DEFENCE AND DISASTER ACT  
AMENDMENT ACT**

(Chapter 11)

(Bill 15)

This Act amends *The Civil Defence and Disaster Act*, being chapter 10 of the Statutes of Alberta, 1951.

Section 5 is struck out and replaced by a new section. The new section permits the Lieutenant Governor in Council to appoint a chairman of civil defence for the Province. It authorizes the Minister, with the approval of the Lieutenant Governor in Council, to appoint advisory committees to assist the Minister, Cabinet Committee and chairman of civil defence. In addition the Lieutenant Governor in Council is empowered to delegate to one or more Departments the performance of the accounting services required in the administration of this Act.

This Act came into force on March 29, 1956.

**CO-OPERATIVE MARKETING ASSOCIATIONS  
GUARANTEE ACT AMENDMENT ACT**

(Chapter 12)

(Bill 31)

This Act amends *The Co-operative Marketing Associations Guarantee Act*, being chapter 252 of the Revised Statutes of Alberta, 1942.

A new section 8 is added which will enable the Supervisor of Co-operative Activities to intervene directly in the affairs of a co-operative association that has borrowed public funds or whose borrowing has been guaranteed under this Act by the Province. The Supervisor will thereby be in a position to facilitate the collection of the moneys owing by the association and to expedite the repayment of such moneys. The new section only operates in the case of co-operatives that fall behind on their repayments or in the case of co-operatives that are likely to so fall behind.

This Act came into force on March 29, 1956.

**DEPARTMENT OF PUBLIC HEALTH ACT  
AMENDMENT ACT**

(Chapter 13)

(Bill 63)

This Act amends *The Department of Public Health Act*, being chapter 13 of the Revised Statutes of Alberta, 1942.



A new section 8b is added to the Act which authorizes the Government of Alberta to enter into agreements with the Government of Canada for the purpose of securing to the residents of the Province the benefits of any health service grants that may be available from the Government of Canada.

This Act came into force on March 29, 1956.

## **DISABLED PERSONS' PENSIONS ACT AMENDMENT ACT**

(Chapter 14)

(Bill 54)

This Act amends *The Disabled Person's Pensions Act*, being chapter 33 of the Statutes of Alberta, 1953.

Section 3 is amended to reduce the residence requirements for eligibility for pensions under this Act. Formerly a person was required to have resided in Alberta for a continuous ten-year period immediately before the commencement of the pension. By the amendment this requirement will be reduced to a five-year period of continuous residence before the beginning of the pension and a total of ten years' residence altogether.

This Act came into force on March 29, 1956.

## **ELECTION ACT**

(Chapter 15)

(Bill 18 )

This Act, which is entitled "*The Election Act*", repeals and replaces *The Alberta Election Act* being chapter 5 of the Revised Statutes of Alberta, 1942.

While the new Act is essentially a revision of the Act it replaces there are many substantive changes.

Nomination day which was previously required to be a day not more than 30 nor less than 20 days from the day of the issuing of the writ may now be a day not more than 35 nor less than 25 days from such issue.

Suburban polls have been done away with. The franchise has been extended to persons wholly or partly of Indian blood ordinarily resident on an Indian reservation who were members of Her Majesty's Forces during World War II or World War I, or who were members of the Canadian Forces serving on active service subsequent to the 9th day of September, 1950.



The residence requirements for voting have been simplified. The voting system has been changed from the proportional representation system to the so-called X system in use in federal elections and in other provinces. The provisions with regard to the withdrawal of candidates for an election have been expanded and clarified. The ballot papers to be used in city constituencies have been altered by making the black dividing line thinner so that more names may be placed on a smaller ballot form. The provisions with regard to advance polls have been altered to permit the holding of up to at least 3 advance polling places. The time of voting at an election, that is, from 9 o'clock in the morning to 8 o'clock in the evening has been made uniform throughout the Province. The provision with regard to employees being given time to vote by their employers has been expanded and set out in more detail. The Act also authorizes the setting up of a permanent registry of electors in the city constituencies whereon an elector may be registered in the period between elections to ensure his being able to vote at an election.

Where a voter has inadvertently marked his ballot paper contrary to the provisions of the Act or written with an instrument other than the pencil provided in the polling place the ballot paper may now in certain cases be counted as a valid vote.

After an election a candidate may now appeal any decision of the returning officer or may ask for a recount without requiring to prove or to show that the returning officer had improperly counted or rejected the ballot paper or that the returning officer made an incorrect statement of the number of votes cast for a candidate or improperly added up the votes. With regard to a candidate's statement of expense certain changes have been made in the Act in so far as the new Act will require that a statement be submitted rather than an abstract of the statement as formerly required. The Act also permits the Lieutenant Governor in Council to make regulations for the purpose of enabling electors to vote at advance polls but any such regulations have no effect until a draft of the same has been approved by a resolution of the Legislature. The Lieutenant Governor in Council is also empowered to appoint a resident elector of an electoral division to be the returning



officer for the purpose of an election under this Act who will be the permanent returning officer for such an electoral division until he ceases to hold the appointment.

This Act came into force on March 29, 1956.

## FORESTS ACT AMENDMENT ACT

(Chapter 16)

(Bill 23)

This Act amends *The Forests Act*, being chapter 43 of the Statutes of Alberta, 1949.

Section 3 is amended to remove a conflict with *The Forest Reserves Act*.

Section 10 is amended to enable the Minister to reserve for future disposition timber suitable for pulp-wood, plywood or other products and will enable him to dispose thereof to persons engaged in the manufacture of such wood products.

Section 12, subsection (1), clause (d) is amended to remove the restriction on the extent of berths that may be permitted under this Act.

A new section 17a is added empowering the Minister to refuse licences, permits or tenders for causes specified in the section.

Section 18 is replaced by a new section. Under the new section a person submitting more than one tender to purchase a berth may submit one guarantee deposit; and also the new section would require an undertaking to pay specified costs to the Crown to be in writing. Under the old section such a tender was presumed to include an undertaking to pay these costs.

Section 28 is amended as to subsection (3) to permit holders of berths to apply for cancellation of parts of the berths that have been cut and are no longer required for the operation of the berth.

Section 33 is amended by adding a subsection (2) which will allow a reduction of the charges for ground rent and fire-guarding charges during the first and last year of the berth.

Section 37 is amended. Subsection (1) is amended for clarification and subsection (3) is amended to allow special and settlers' timber permits to be dealt with by regulations rather than by the Act as previously.

Section 38 is amended to enable a refund to be made when a permittee has been unable to cut the timber on a berth.

Section 42, subsection (1) is amended so that the section will now apply only to a homestead lessee and will allow 4 years instead of 3 for the acquisition of a permit.

Section 43 is replaced by a new section which will extend the time within which cultivation must be undertaken as well as the time in which application for a refund must be made by a settler residing on a farm and cutting timber on public lands.

Section 44 is amended to confine the rights given by this section to persons residing on homesteads rather than as previously to settlers generally.

Section 50 is amended as to subsections (1), (2) and (3) to allow returns to be made and dues to be based on materials scaled, to clarify the date of returns and to provide that no returns need be made until operations begin or application is made for cancellation and all material sold in the case of licensees.

Section 62 is amended as to subsections (1) and (2) by referring to *The Industrial Wages Security Act*. The effect of the amendment is that in addition to complying with all the provisions of *The Workmen's Compensation Act, 1948*, a licensee or an applicant for a licence is required to comply with *The Industrial Wages Security Act*.

Section 63 is amended to fix the dates that dues are payable on and to remove interest charges on unpaid dues on such date.

Section 65 is amended by the addition of a new subsection (3a). The amendment will clarify procedure on seizure of material under the lien created by this section.

Section 100, subsection (1) is amended to clarify the references therein.

Section 109, which provides that money, other than dues upon timber cut, not payable under sale, lease, licence or permit and not paid within one month from the date on which it became due shall bear interest at the rate of 5% from the due date, is repealed.

This Act came into force on March 29, 1956.



# GAME ACT, 1946 AMENDMENT ACT

(Chapter 17)

(Bill 59)

This Act amends *The Game Act, 1946*, being chapter 4 of the Statutes of Alberta, 1946.

Section 2 is amended as to clauses (w), (ee) and (fff) to remove an ambiguity, to remove unnecessary words and to extend definition to lands usually containing buildings, respectively.

Section 8 is replaced by a new section which provides that no person shall hunt any big game or game bird upon or over occupied lands or enter upon such lands for the purpose of so hunting without the consent of the owner or occupant thereof. Occupied lands under the new section means privately owned lands under cultivation or enclosed by a fence of any kind and upon which or adjoining which the owner or occupant is actually residing. "Privately owned lands" is a defined term under the Act. The new section also permits an owner or occupant of occupied lands to post "No Hunting" or "No Shooting" signs on his lands in specified types of signs and thereupon no person, including the owner or occupant, shall hunt upon or over such lands. An owner or occupant of such lands may post a sign permitting shooting in which case any person may hunt upon or shoot over such lands.

Section 9, subsection (1) is amended to make it clear that the prohibition against the employment of poison does not apply to the pest control operations of the Department of Agriculture.

Section 10, subsection (3) is amended for the purpose of making it easier to determine the type of highways upon which persons are prohibited from discharging firearms along or across.

Section 12 is amended by adding a new subsection (3) which prohibits any person posting or causing to be posted on any unoccupied Crown lands any sign purporting to prohibit hunting or shooting thereon.

Section 14 is amended; as to subsection (2) to clarify the intent of the subsection; and by the addition of a subsection (4) which prohibits any person being in possession of any firearm to be within the boundaries of a game preserve or bird sanctuary if the firearm is not sealed with a seal of a type approved by the Minister.

Section 19 is amended to make the provision against being in possession of big game, game bird or fur-bearing animal contrary to the provisions of this Act or the regulations apply generally and not simply to game or birds killed or taken alive in the Province.

Section 21 is amended by the addition of a new subsection (2) permitting a person legally in possession of the hide of a grizzly bear, black bear, brown bear, or cinnamon bear to sell, barter or traffic in such hide.

Section 25 is amended by the addition of a subsection (5) which prohibits a person from applying for or acquiring more than one licence for the hunting of game during the same open season, except as provided in section 22.

Section 27, subsection (1) is amended to permit of an exception being made in the regulations against the prohibition of hunting, shooting, taking or killing or having any big game with horns less than 4 inches in length or any big game under the age of one year.

Section 32 is replaced by a new section requiring that a non-resident while engaged in hunting big game in the Province shall be accompanied either by a guide or by a resident of the Province. Previously this section required that a non-resident while engaged in hunting big game in any forest reserve be accompanied by a guide.

Section 36 is replaced by a new section which sets out the proper sequence of events but makes no change in the intent of the section.

Section 42 is replaced by a new section which sets out the hours during which hunting is permitted.

Section 50, subsection (3) is amended to clarify a reference to "coyote".

Section 96 is amended to provide more flexibility in this section which now prohibits a person carrying on or engaging in the business of lending, renting or letting for hire saddle horses, pack horses, vehicles, boats or other equipment for the purpose of being used in the hunting, taking or killing of big game without having first obtained a licence under this Act.

Section 101 is amended to make reference to Canadian citizen rather than British subject in the case of a licence or permit to act as an outfitter.



Section 125, subsection (1) is amended to permit the Lieutenant Governor in Council to make regulations respecting the importation into the Province of any species of big game, game bird or fur-bearing animal and with regard to the cold storage of big game, game bird and pelts or skins of fur-bearing animals.

Section 126, subsection (1) is amended to permit the Minister to issue to residents within a game preserve or bird sanctuary permits for the keeping of traps, snares or firearms at their place of residence and to enable the Minister to issue permits to hunt, trap and kill within a game preserve or bird sanctuary any animal referred to in section 15 or 16, respectively, of this Act.

Section 143 is amended by the addition of a new subsection (2) which relates particularly to the premises, camps or buildings used in connection with logging operations or with any sawmill, tie-camp, oil exploration or construction camp operations. Where the carcass of any big game animal is found on such premises the owner shall be deemed to be dealing in big game in contravention of this Act.

Section 148 is replaced by a new section dealing with the same subject matter and provides the procedure in the case of game, pelts, skins, containers, vehicles, aircraft, vessels, launches, boats, canoes, firearms, ammunition, decoys, traps, snares, gear, material, implements and appliances under seizure pursuant to this Act.

Section 151, which created certain offences with respect to the obstruction of game guardians and game officers, is repealed.

Section 155 is amended by the addition of a subsection (2) prohibiting a person convicted of hunting without a licence from subsequently obtaining such a licence in the same season.

Section 162 is replaced by a new section increasing the fine (and the scope of the section) for a contravention of the sections referred to in the new section 162.

Section 163 is amended by providing a minimum penalty of not less than \$10.00 for a contravention of this Act not elsewhere provided for.

Section 164a, which provided that the Minister publish the name, and

address of an offender and the nature of the offence for which the offender was convicted in the case of every person convicted of an offence against this Act or the regulations, is repealed.

The Schedule is amended to abolish the game preserves of Cooking Lake and Kananaskis and to abolish the Hall's Coulee bird sanctuary and to prevent shooting over the water area of Cygnet Lake bird sanctuary.

This Act came into force on March 29, 1956.

## **GAOLS AND PRISONS ACT AMENDMENT ACT**

(Chapter 18)

(Bill 10)

This Act amends *The Gaols and Prisons Act*, being chapter 127 of the Revised Statutes of Alberta, 1942.

A new section 3a is added permitting the appointment of an Inspector of Gaols and setting out his duties.

A new section 4a is added and authorizes the appointment of a selection committee for prisoners. The committee's duty will involve the screening of prisoners and removing them from gaol to the Bowden Institute or other certified institution, or vice versa as the circumstances in such case may require.

This Act came into force on March 29, 1956.

## **GAS RESOURCES PRESERVATION ACT, 1956**

(Chapter 19)

(Bill 8)

This Act, which is called "*The Gas Resources Preservation Act, 1956*", repeals and replaces *The Gas Resources Preservation Act*, being chapter 2 of the Statutes of Alberta, 1949 (2nd Session).

The new Act brings the statutory provisions relating to the preservation of gas up to date in the light of the experience under the repealed Act and permits simplification of the administrative procedures.

This Act came into force on March 29, 1956.



**ALBERTA HAIL INSURANCE ACT AMENDMENT  
ACT**

(Chapter 20)

(Bill 51)

This Act amends *The Alberta Hail Insurance Act*, being chapter 203 of the Revised Statutes of Alberta, 1942.

Section 2, clause (g) is amended to change the definition of the term "policy".

Section 5 is amended as to clause (f) to remove therefrom the requirement that the Minister approve the reinsurance of any part of a risk or risks for the time being carried by the Board either as to the reinsurance itself or to the company or corporation reinsuring.

Section 12 is amended. Subsection (2) is altered with regard to clause (c) for clarification. Subsection (4) is amended to provide that even though applications for insurance are accepted by the Board they do not become effective within the first 24 hours after the making thereof. A new subsection (5) is substituted for the present subsection (5) which provides that when any crop in respect of which an application for insurance has been accepted is damaged by hail the Board may inquire into the circumstances and if satisfied that the damage occurred before the application was accepted the Board may in its absolute discretion make an allowance under the policy for the loss or damage or continue the insurance under the policy from the date on which the acceptance of application became effective, or cancel the insurance as to all or certain only of the crops insured. A new subsection (8) is substituted for the former subsection and provides that an application shall be deemed not to have been made until the applicant has delivered to the Board a written application required by this Act.

Section 14 is amended. Subsection (3) is replaced by new subsections (3), (3a) and (3b). The amendment provides that payment of the premium instead of the lien is to be enforceable by seizure and sale and thus that seizure may be made until the debt is outlawed rather than just for the duration of the lien. It provides also that the seizure may be authorized by an appointee of the chairman or secretary of the Board rather than that the warrant must be signed by the chairman or secretary as previously.

Section 15 is amended by replacing subsection (1) with a new subsection. This amendment will provide that an applicant in the case of a deductible policy shall make claim only when the damage exceeds the percentage deductible under his policy or exceeds 10% under a policy containing no partial payment of loss clause.

Section 16 is amended by striking out subsections (2), (3) and (4) and by substituting subsections (2), (2a), (3), (3a), (4) and (5a). The new subsection (2) will cover the reports of the adjusters to which the claimants agree and the new provisions set out clearly that the Board does not have to accept the report of its adjuster but that if it does not do so it must determine the damage and make a new submission to the claimant within 5 days of the original report. Subsection (3) previously gave a claimant the right to appeal even though he had agreed to the report of the adjuster and in the new subsection (3) this right to appeal is limited to those claimants who do not agree to the adjuster's report. Subsection (5a) gives the Board a right to reopen a claim and to make a further allowance.

Section 18 is amended by substituting a new subsection (2) for the previous subsection. This amendment will provide that an assignment of sums payable by the Board in respect of any claim for damage to crops by hail will be valid if the assignment reaches the office of the Board in Calgary before the time of payment of the claim.

Section 20 is amended by replacing the former subsections (1) and (2) with new subsections. The Board is being authorized by this Act to pay its claims in full in one payment prior to November 1st. Subsection (2) sets out what is to be done if the Board is unable to make payment of its claims in full before November 1st, in which case the Board shall on November 1st pay not less than half of each claim in such area and make further payment on or before March 1st next following.

Section 20a is replaced by a new section 20a and section 20b. The new section 20a will permit the Board to dispose of a surplus realized in any fiscal year among applicants or classes of applicants for insurance in that or any subsequent fiscal year. Previously such surplus could be disposed of among applicants or classes of applicants for insurance during such fiscal year, that



is, the fiscal year in which the surplus was realized. Section 20b will enable the Board to give cash discounts to those persons who pay part or all of their premiums in full with their applications and will enable the Board to make special arrangements with certain groups or classes of its policyholders, as for example, in any area where hail suppression may be tried.

Section 24 is amended by replacing the previous subsection (1) with subsections (1) and (1a). These amendments will remove the need of obtaining the Minister's approval to the appointment of a chartered accountant or firm of chartered accountants as auditors of the Board.

This Act came into force on March 29, 1956.

## HEALTH UNIT ACT AMENDMENT ACT

(Chapter 21)

(Bill 61)

This Act amends *The Health Unit Act*, being chapter 38 of the Statutes of Alberta, 1951.

Subsection (2) of section 9a is repealed. Subsection (2) authorized the board of a health unit to pay the municipality or municipalities under an agreement a part or all of the cost of the municipal nursing service which was to be deemed to be an operating cost of the health unit.

Section 10 is amended as to clause (d) of subsection (1) to set out a formula for the employment of full-time nurses by the health unit. Subsection (2) is removed and a new subsection substituted which permits a health unit to employ one full-time dentist or one or more part-time dentists subject to certain qualifications, and a full-time dental assistant or one or more part-time dental assistants subject to certain restrictions. Subsection (4) is struck out. This subsection dealt with a municipal nursing service under *The Nursing Service Act* and provided that each municipal nurse employed in the municipal nursing service would be deemed to be employed for 1,200 of population and that number of population was deemed to be not included in the computation of the population referred to in the repealed clause (d) of subsection (1).

This Act came into force on March 29, 1956.

**HOSPITALIZATION AND TREATMENT SERVICES  
ACT AMENDMENT ACT**

(Chapter 22)

(Bill 53)

*The Hospitalization and Treatment Services Act*, being chapter 56 of the Statutes of Alberta, 1953, is amended by this Act.

Section 11 is amended as to subsection (1), clause (c) to define "contract holder" in such a manner that it will be clear that the term here defined refers to a contract in a form prescribed by the Minister. A new subsection (5) is added for the purpose of placing a share crop tenant in the position of a contract holder under the hospitalization plan.

This Act came into force on March 29, 1956.

**HOSPITALS ACT AMENDMENT ACT**

(Chapter 23)

(Bill 29)

This Act amends *The Hospitals Act*, being chapter 184 of the Revised Statutes of Alberta, 1942.

Section 6, subsection (4) is amended to increase the limit of liability of a local authority from \$400.00 to \$600.00 in respect of indigent sick persons admitted to an approved hospital.

Section 7, subsection (2) is similarly amended.

This Act came into force on March 29, 1956.

**IMPROVEMENT DISTRICTS ACT, 1947  
AMENDMENT ACT**

(Chapter 24)

(Bill 16)

*The Improvement Districts Act, 1947*, being chapter 9 of the Statutes of Alberta, 1947, is amended by this Act.

Section 53a is added and authorizes the Minister of Municipal Affairs to appoint committees in improvement districts to advise him on district affairs.

This Act came into force on March 29, 1956.



**IMPROVEMENT DISTRICTS STRAY ANIMALS  
ACT AMENDMENT ACT**

(Chapter 25)

(Bill 62)

This Act amends *The Improvement Districts Stray Animals Act*, being chapter 60 of the Statutes of Alberta, 1953.

Section 2 is amended by removing the definition of "occupier of land" in clause (i) and by substituting therefor the term "petitioner", being the person who is qualified to ask for or to object to the asking for of a pound district in any area. In subclause (ii) of clause (m) "hog" is included within the definition of "mischievous animal".

Section 5, subsection (3) is amended by removing the reference to "occupiers of land" and substituting the term "petitioners".

Schedule 1 is amended as to Form A and Form B by substituting the term "petitioners" for "occupiers of land". Schedule 2 (the fees), is amended by striking out subsection (3) and substituting a new subsection which permits the finder of an animal disposed of under section 42 to file a statement of claim for the care and sustenance of the animal with the Department. Under the previous subsection the finder was not entitled to remuneration for animals where the owner is not known and the animal was disposed of under that section of the Act.

This Act came into force on March 29, 1956.

**LAND TITLES ACT CLARIFICATION ACT**

(Chapter 26)

(Bill 80)

This Act, which is entitled "*The Land Titles Act Clarification Act*", declares that the term "lease" as used in *The Land Titles Act* includes and shall be deemed to have included a "mineral lease" so-called.

This Act came into force on March 29, 1956.

**LIBRARIES ACT**

(Chapter 27)

(Bill 17)

This Act, which is called "*The Libraries Act*", repeals and replaces "*The Public Libraries Act*", being chapter 13 of the Statutes of Alberta, 1948.

The new Act makes provision for a central library service and three types of public libraries, regional, municipal and community public libraries. Book grants are retained for smaller libraries but the large municipal and regional libraries are to be provided with annual grants based on the population they serve. Other grants to assist in the establishment of regional libraries are provided for in the new Act while certain special grants are also dealt with.

Sections 7 to 9 relate to the central library and provide for its establishment and general powers.

Part II, being sections 10 to 15, authorizes the establishment of a library board to be known as the Alberta Library Board and prescribes its powers and constitution as well as the remuneration of the members thereof.

Part III, being sections 16 to 35, relates to the constitution, powers and establishment of municipal libraries and grants to aid the establishment thereof.

Part IV, being sections 36 to 43, relates to the regional libraries and the establishment and constitution thereof, as well as to the means whereby such libraries are to obtain operating funds and grants.

Part V, being sections 44 to 53, relates to the establishment, compensation and constitution of community libraries and the general powers of such library boards.

Part VI, being sections 54 to 62, relates to the financial assistance to libraries under this Act and particularly to the provision of grants by the Province to all three types of libraries.

Part VII, being sections 63 to 95, is a general Part.

This Act came into force on March 29, 1956.

## **LIVE STOCK DISEASES ACT AMENDMENT ACT**

(Chapter 28)

(Bill 14)

This Act amends *The Live Stock Diseases Act*, being chapter 10 of the Statutes of Alberta, 1946.

Section 3c is amended by substituting subsections (2) and (3) for the former subsection (2). The cost of testing and



vaccinating all cattle and heifers in a brucellosis restricted area is payable to the veterinarian and recoverable in any court. The amended subsections will provide additionally that the relevant municipality may recover the cost on behalf of the veterinarian rather than requiring that he himself recover.

This Act came into force on March 29, 1956.

## **MENTAL DISEASES ACT AMENDMENT ACT**

(Chapter 29)

(Bill 58)

This Act amends *The Mental Diseases Act*, being chapter 192 of the Revised Statutes of Alberta, 1942.

Section 4 is amended by replacing subsections (4) and (5) by new subsections. The purpose of the amendment is to clarify the procedure on committals by medical certificates.

Section 29 is replaced by a new section 29. The former section made no provision for the retaking of an escaped patient nor did it appear to make provision for the apprehension of a patient permitted to go home on trial and who later requires hospitalization. Both cases are covered by the new section.

Form H in the Schedule is amended to make it clear that the patient referred to in the form need not be one who was originally committed because he was found to be dangerous to be at large.

This Act came into force on March 29, 1956.

## **METROPOLITAN INTERIM DEVELOPMENT ACT**

(Chapter 30)

(Bill 77)

This Act, which is cited as "*The Metropolitan Interim Development Act*", provides for the setting up of a Metropolitan Interim Development Board by the Lieutenant Governor in Council, consisting of no more than five members, and the chairman of which shall be designated by the Lieutenant Governor in Council. This Act results from the recommendations contained in the report of the Royal Commission on Metropolitan Development of Calgary and Edmonton which was

tabled in the Legislature during the session. The Act prohibits the undertaking of projects by municipalities within the recommended boundaries of the metropolitan areas without the approval of the Lieutenant Governor in Council or a delegated body. Agreements entered into in contravention of this Act are void for all purposes. The Act is temporary and will expire on the 31st of March, 1957, but the Lieutenant Governor in Council may suspend any parts of it or the whole Act before that date.

This Act came into force on March 29, 1956.

### **MEWATA PARK ENABLING ACT**

(Chapter 31)

(Bill 76)

This Act, which is cited as "*The Mewata Park Enabling Act*", will permit the city of Calgary to make certain specified uses of the Mewata Park area which was granted to the city of Calgary in 1885, subject to the condition that the park area should be used for the purpose of a public park and for no other purpose whatsoever.

This Act came into force on March 29, 1956.

### **MINERAL TITLES CLARIFICATION ACT, 1956**

(Chapter 32)

(Bill 72)

This Act, which is cited as "*The Mineral Titles Clarification Act, 1956*", deals with three cases in which ownership of mines and minerals became a matter of doubt and uncertainty. The first case deals with the situation where a road, trail or road allowance diversion was created out of private land before February 12, 1912, by filing a plan of survey under the Acts existing at that time. In such a case section 2 of the Act states that the mines and minerals under such road or road allowance diversion are not acquired by the Crown.

In the situation where upon the filing of a plan of subdivision under section 87 of *The Land Titles Act* the original title is cancelled in full prior to 1950 and the mineral title disappeared, the title to all mines and minerals under reservations of public lands made under such a subdivision



remains vested in the owner of the mines and minerals and does not become vested in or transferred to Her Majesty. In both cases the Registrar of Titles under *The Land Titles Act* is permitted to correct the titles and certain correcting of titles done by the Registrar previously is validated.

In the third case covered by the Act, namely, where under any tax recovery proceedings the title to land, including any mines and minerals has been cancelled in full and the surface only has been vested in the name of the taxing authority or, in a *bona fide* purchaser for value therefrom, the Registrar of Titles is empowered to reinstate the title as to the mines and minerals in the name of the owner at the time the title was cancelled in full.

This Act came into force on March 29, 1956.

### **MINERAL TAXATION ACT, 1947 AMENDMENT ACT**

(Chapter 33)

(Bill 78)

This Act amends *The Mineral Taxation Act, 1947*, being chapter 10 of the Statutes of Alberta, 1947.

Form A in the Schedule is amended by adding reference to the Assistant Deputy Minister and Chief Assessor. This amendment corrects an oversight made when the Act was amended in 1950 whereby the Assistant Deputy Minister and Chief Assessor were authorized to deliver or mail the notices required upon a tax arrears and no similar change was made in Form A, the form of one of the notices required in such a case.

This Act came into force on March 29, 1956, and is retroactive to the 1st day of July, 1950.

### **MOBILE CONSTRUCTION EQUIPMENT LICENSING ACT AMENDMENT ACT**

(Chapter 34)

(Bill 32)

This Act amends *The Mobile Construction Equipment Licensing Act*, being chapter 76 of the Statutes of Alberta, 1953.

Section 2 is amended to alter the definitions of "construction work" and "owner". Section 3 is amended to pro-

hibit all operation of mobile construction equipment in municipalities unless a subsisting licence is obtained and displayed.

Section 5, subsection (1) is amended to clarify the exemptions under this section in respect of construction equipment owned by the Crown as well as such equipment owned by a municipality and used solely within the municipality.

Section 12 is amended to make it an offence to display a licence plate on an unlicensed unit.

Section 15 is amended to increase the maximum fine under subsection (1). A new subsection (4) is added permitting a certain certificate under the hand of the Minister to become admissible in evidence as proof of the fact that a unit of mobile construction equipment has or has not been licensed pursuant to this Act.

This Act came into force on March 29, 1956, and is retroactive to the 1st day of January, 1956.

#### **MOTHERS' ALLOWANCE ACT AMENDMENT ACT**

(Chapter 35)

(Bill 4)

This Act amends *The Mothers' Allowance Act*, being chapter 302 of the Revised Statutes of Alberta, 1942.

Section 4 is amended by the addition of a new subsection (3) which states that a person is not eligible for an allowance under this Act if he is, for the purpose of health and welfare services, the responsibility of the Government of Canada.

This Act came into force on March 29, 1956.

#### **MUNICIPAL CAPITAL EXPENDITURE LOANS ACT AMENDMENT ACT**

(Chapter 36)

(Bill 19)

This Act amends *The Municipal Capital Expenditure Loans Act*, being chapter 81 of the Statutes of Alberta, 1953.

The amendment provides that the aggregate of all net advances to the Fund is not to exceed \$125,000,000.00. Previously the limit was \$100,000,000.00.



Section 3 empowers the Provincial Treasurer to advance to the Municipal Loans Revolving Fund in 1956-57 the sum of \$25,000,000.00.

This Act came into force on March 29, 1956.

**MUNICIPAL DISTRICT ACT, 1954  
AMENDMENT ACT**

(Chapter 37)

(Bill 25)

This Act amends *The Municipal District Act, 1954*, being chapter 70 of the Statutes of Alberta, 1954.

Section 64 is amended by substituting a new subsection (4) for the previous subsection. The amendment will permit the assessor appointed by council to carry out a general reassessment in a municipal district which was not heretofore permitted.

Section 82, subsection (2) is amended to prevent the services of a municipal employee being interrupted by reason of the merger of a municipal district or by his transfer from one municipality to the other. This relates to the continuance of service for the purpose of pensions and gratuities upon dismissal or resignation of such an employee.

A new section 83a is added and will provide municipal districts with an alternate mode of electing councillors, that is, the council may provide for the nomination of candidates by electoral divisions and for the election of candidates by the general vote of the electors, subject to a plebiscite in certain specified cases.

A new section 426c is added which would enable the council to pass by-laws for the purpose of entering into an agreement with any person for the provision of weather modification services in a municipal district. Such an agreement would not be operative until it had received the assent of two-thirds of the proprietary electors. The expenses of such a service would be met by the levy and collection of a mill rate upon the real property liable to assessment and taxation, which rate shall be levied in addition to and together with the rate authorized for ordinary municipal purposes.

This Act came into force on March 29, 1956.

**MUNICIPAL HOSPITALS ACT  
AMENDMENT ACT**

(Chapter 38)

(Bill 50)

This Act amends *The Municipal Hospitals Act*, being chapter 185 of the Revised Statutes of Alberta, 1942.

Section 2 is amended by including therein definitions of "contract holder" and "non-ratepayer" and by altering the definition of "ratepayer" with respect to a municipal hospital district within a national park.

Section 11 is amended. Subsection (10) is amended to place the lessee of a ratepayer who is designated to receive landowner's benefits in the position of a contract holder rather than that of a ratepayer. Subsection (11) is amended to correct the reference to a term now to be defined in the Act, namely, "contract holder".

Section 11a is replaced by a new section which will remove the exemption against a minimum hospital tax in the case of a person liable to deliver a share of the crop as rental on provincial government or municipal lands and provides that such a person is entitled to the benefits conferred by this Act on a contract holder.

Section 12 is repealed.

Section 73 is amended to remove a difficulty occasioned by the different methods of arriving at assessed values in cities and other municipalities. Subsection (5) of that section is amended to permit contributing councils to appeal to the Board of Public Utility Commissioners instead of requiring that a specified number of ratepayers appeal to the Board.

Form A in the Schedule is amended to make reference to contract holders. Form D is similarly amended.

This Act came into force on March 29, 1956.

**NEW TOWNS ACT**

(Chapter 39)

(Bill 1)

This Act, which is called "*The New Towns Act*", will provide a means of facilitating the orderly growth of new urban areas in cases where there is no opportunity for the provisions of



*The Town and Village Act, 1952*, to apply. The Lieutenant Governor in Council may declare any area of the Province to be a "new town" and describe its boundaries and establish a date upon which the "new town" is to become established. A "new town" will be managed by a board of administrators, not exceeding 7 in number appointed by the Lieutenant Governor in Council, except for such number as the Lieutenant Governor in Council may decide should be elected by the residents of the "new town". The board of administrators in the "new town" becomes a body corporate under the Act and thereafter will administer the "new town" as though it were a town incorporated under *The Town and Village Act, 1952*, except in certain particulars specified in *The New Towns Act*.

The funds necessary for the establishment and operation of a "new town" may be advanced by the Province but such advances shall not exceed \$1,000,000.00. The Board of administrators of a "new town" shall in each year prepare a financial program which shall be submitted to the Board of Public Utility Commissioners and which must receive the approval of that body. When a "new town" is sufficiently developed the Lieutenant Governor in Council may make it a village, town or city, whereupon it will come under the appropriate municipal Act.

This Act came into force on March 29, 1956.

## **OIL AND GAS RESOURCES CONSERVATION ACT, 1950 AMENDMENT ACT**

(Chapter 40)

(Bill 7)

This Act amends *The Oil and Gas Resources Conservation Act, 1950*, being chapter 46 of the Statutes of Alberta, 1950.

Section 2 is amended to alter the definitions in clauses (c), (d), (g), (i) and (j) and by adding a new definition of "license".

Section 2a is added and permits the describing of land in the ordinary manner (whether or not the land is surveyed in accordance with *The Alberta Surveys Act*) in lieu of a more cumbersome form of description.

Section 6 is amended by adding a subsection (6) making it clear that the provisions of subsections (2) and (5) apply to an appointment to fill a vacancy on the Board.

Section 9 is amended by replacing clause (b) with a new clause. The amendment will authorize a slate of acting members to be prepared and used without the necessity of an order in council each time an acting member is required to be appointed to the Board.

Section 12, subsection (4), clause (a) is amended to allow written notices of matters before the Board and given by the Board to be signed by the solicitor of the Board.

Sections 14a and 14b are added and will authorize and permit the use of photographs of original records as evidence, and will permit the destruction of the original documents when photographed and certified as provided in these new sections.

Section 15 is amended to permit the employment of a solicitor by the Board and removes an ambiguity in clause (b).

Section 24 is amended by the addition of a new subsection (9) which provides that, where an application is made for a license to drill a well for gas to be used solely on a farm or ranch or for other domestic uses of the applicant, the Minister may dispense with the deposit or any part thereof on such terms and conditions as he may prescribe.

Section 26 is amended, firstly to remove the restrictive words in subsection (1) relating to a license as that latter term is now defined; and secondly, in subsection (6), to reduce the fee upon an application for the consent of the Minister to an assignment of a license from \$25.00 to \$5.00.

Section 27, clause (a) is amended to remove words unnecessary now in view of the definition of the term "license". Section 29 is similarly amended.

Section 30 is amended as to clause (r) and permits the making of regulations as to the operations for the conditioning or reconditioning of wells by mechanical, chemical or explosive means and as to the notices to be given of an intention so to condition or recondition a well.

Section 34 is amended as to subsection (1), clause (a) by substituting a new clause (a) empowering the Board to designate pools and fields and in-



structing how such designation is to be done. Clause (h) is amended in subclauses (iii) and (v) by revising the prorating provisions therein referred to.

Section 70a is added and permits the Board to close an area to travel when a hazardous condition exists in a field or at the well.

Section 79a is added and permits the Board to require an applicant to give notice of any hearing or inquiry to be conducted by the Board and also permits the Board to order that the cost of advertising the notice in connection with any hearing, inquiry or investigation by the Board be paid in whole or in part by any party to the hearing, inquiry or investigation.

This Act came into force on March 29, 1956.

## POLICE ACT AMENDMENT ACT

(Chapter 41)

(Bill 24)

This Act amends *The Police Act*, being chapter 90 of the Statutes of Alberta, 1953.

The amendments made by this Act enable the municipal police force personnel to be placed in the same relative position as other labour associations by incorporating into this Part the concept of the bargaining unit of a police force.

Section 2 removes the definition of a "full-time member" and substitutes a definition of "unit", that is the bargaining unit; the definition makes it clear what ranks in the force may constitute a "unit".

Section 25 is amended to relate to the unit instead of full-time members of a municipal force.

Sections 25a to 25d are added and permit the setting up of a conciliation procedure which was lacking in the Act heretofore.

Section 26, subsection (1) is amended to provide for a conciliation commissioner. Subsection (4) is amended to permit a member of the board of arbitration to be a British subject. Previously he was required to be a Canadian citizen. Subsection (4) is further amended by adding a provision preventing a person being a member of a board of arbitration if he has received remuneration directly from either of the parties to the arbitration at any time within the six months immediately preceding the day of notice to refer the dispute to a board of arbitration.

Section 27, subsection (1) is amended to remove references to full-time members of the police force and relate the section to the unit concept now introduced. Section 29 is similarly amended.

This Act came into force on March 29, 1956.

#### **PUBLIC HEALTH ACT AMENDMENT ACT**

(Chapter 42)

(Bill 52)

This Act amends *The Public Health Act*, being chapter 183 of the Revised Statutes of Alberta, 1942.

A new section 7b is added and will authorize plebiscites by municipalities to determine whether the residents of the municipality desire the fluoridation of the communal water supply.

This Act will come into force on January 1, 1957.

#### **PUBLIC LANDS ACT AMENDMENT ACT**

(Chapter 43)

(Bill 57)

This Act amends *The Public Lands Act*, being chapter 81 of the Statutes of Alberta, 1949.

Section 2 is amended to define "agreement of transfer" in one case, to ensure that the definition "lands" as used under the Act is not taken to include mines and minerals, and to remove a reference to another Act in clause (oo).

Section 20 is amended by striking out subsection (2), which refers to certain residence duties under section 18, namely: in the case where the lessee was required to complete improvements of a value of \$500.00 by the end of the third calendar year when the residence duties were performed in the vicinity of the leasehold.

Sections 34 and 36 are repealed. Both these sections are either covered elsewhere or placed elsewhere.

Section 38 is amended by substituting a new section permitting the Minister a discretion in paying or refusing to pay a lessee any moneys as compensation for improvements made by the lessee to the leased lands or refund or refuse to refund any moneys paid to the Minister by the lessee in a case where the Minister is required to cancel a homestead lease obtained through personation, misrepresentation or fraud. Previously the Minister had no discretion.

Section 51 is amended by the addition of three new subsections for the previous subsection (2). The amend-

ments provide that an application for a homestead lease shall be accompanied by a fee of \$5.00 and a deposit of \$20.00 for each quarter section of land applied for, which deposit shall be credited toward payment of rent for the first year of the term if a lease is issued but shall be refunded where the application is refused. Subsection (4) provides that where the Minister accepts the application but the applicant refuses to enter into a lease the deposit and any other moneys paid in connection with the application shall be forfeited.

Section 55 is amended. Subsection (1) of the new section 55 provides that a lessee shall pay a yearly rent of a sum of money equivalent to 5% of the value of the lands as assessed in accordance with *The Assessment Act* and a sum sufficient to reimburse the Minister for any amount paid by him pursuant to *The Crown Cultivation Leases Act, 1954*. The rent placed at 5% of the value of the land as assessed need not be paid in any year in which the average yield of the variety of crop grown is a failure. Subsection (4) permits the holder of a lease issued before the coming into force of this section to elect to continue paying rent in accordance with the lease, or he may elect to vary the lease to provide for the payment of rent in accordance with this section. Under this amendment the basis of rental under cultivation leases is changed.

Section 73 is amended. Subsection (2) is altered as to clause (d) to require that the consent of the Minister to the assignment of a grazing lease shall not be given unless the lessee has been in possession of the land continuously for 3 years before the date of the assignment. A new subsection (2a) is added and will permit the Minister to waive requirements relating to possession in certain cases of assignments. Subsection (3) is amended to permit the Minister to consent to an assignment where the requirements have not been complied with in the case of a mentally incompetent person and an assignment is made by his committee.

Section 80, subsection (1) is amended to permit the Minister to obtain information regarding the actual control of a company having a grazing lease.

Section 89a is added to the Act. This is the same provision as was contained in the previous section 36 but in this Part the section applies generally.



Section 94, subsection (3) is amended to conform to section 43, subsection (2) of *The Forests Act* as amended at this session.

Section 94a is amended by the addition of a subsection (1a) authorizing the Department to exclude from the valuation of improvements any fencing made by the previous occupant and thus to permit a new lessee to make his own arrangements for fencing placed on the land by the former lessee.

Section 102 is replaced by a new section which provides that the Minister may withhold the issue of a notification with respect to public lands while the person entitled to notification is liable upon a bond to the Crown in the right of the Province or as a mortgagor on a mortgage in favour of the Crown or for a sum due or payable in respect of an advance of seed grain or for any other indebtedness to the Crown in the right of the Province, or in any of such cases to the Minister.

Section 109 is amended to make it clear that the Minister of Lands and Forests may sell public lands by auction upon receiving authorization therefor from the Lieutenant Governor in Council. The previous section did not specify who might make the sales so authorized.

Section 113 is amended to remove from clause (n) therein a reference to mines and minerals and to authorize the Lieutenant Governor in Council to transfer the administration and control of any public lands to the Government of Canada upon the terms and conditions and for the reasons set out in the order in council. This amendment relates to transfers of lands between the Crown in the right of the Province and the Crown in the right of Canada. The ownership of the land would not change in such cases and it has always been difficult to frame the proper transfer. The new clause will give a statutory method of procedure in such cases.

Subsection (4) of section 126 is struck out.

Section 127 is amended by substituting therefor a new section. This new section will result in the procedure under this section in respect of seizures applying only to seizures of sand and gravel and equipment used in the illegal removal of it.

Section 128, subsection (2) is amended to permit the Department to make a seizure of grain for default in pay-

ment of the cash rental under a cultivation lease.

Section 128b is amended to enable animals not identifiable as to owner by any marks or brands to be disposed of as ownerless when taken by a roundup under this section.

Section 142 is repealed. The matter contained in section 142 is fully covered by *The Forests Act*.

Section 149b is added and provides that except with the consent in writing of the Minister no public lands shall be mortgaged, encumbered and charged with the payment of money or made subject to any lien, and no instrument shall be registered in any land titles office that purports to mortgage, encumber or charge public lands with the payment of money or make public lands subject to any lien.

This Act came into force on March 29, 1956.

#### **PUBLIC SERVICE ACT, 1954**

##### **AMENDMENT ACT**

(Chapter 44)

(Bill 6)

This Bill amends *The Public Service Act, 1954*, being chapter 86 of the Statutes of Alberta, 1954.

Section 29, clause (a) is amended by substituting a new subclause (i) for the previous subclause. The amendment permits employees who are in their 25th year of service or more to have four weeks' annual vacation instead of the customary three weeks.

This Act came into force on March 29, 1956.

#### **REVISED STATUTES 1955 ACT**

(Chapter 45)

(Bill 21)

This Act, which is called "*The Revised Statutes 1955 Act*" repeals and replaces "*The Revised Statutes Act, 1952*". The Act will enable the Legislative Counsel under the general supervision of the Attorney General to complete the work done by the Statute Revision Commission under the previous Act and to incorporate into the consolidation and revision Acts passed up to the end of 1955.

This Act came into force on March 29, 1956.

#### **RURAL ELECTRIFICATION LONG TERM**

##### **FINANCING ACT**

(Chapter 46)

(Bill 55)

This Act, which is called "*The Rural Electrification Long Term Financing*

Act", supplements the provisions of *The Rural Electrification Revolving Fund Act*. It provides for loans to rural electrification associations from the revolving fund but the terms of such loans will differ from the loans under the latter Act in two respects; firstly, the loans will be repaid by members by monthly instead of yearly instalments and will be paid with their monthly electricity charges, and secondly the loans to the association will be for a longer period, that is, up to 25 years. In other respects the Act follows fairly closely the provisions of *The Rural Electrification Revolving Fund Act*.

This Act came into force on March 29, 1956.

**RURAL ELECTRIFICATION REVOLVING FUND  
ACT AMENDMENT ACT**

(Chapter 47)

(Bill 56)

This Act amends *The Rural Electrification Revolving Fund Act*, being chapter 101 of the Statutes of Alberta, 1953.

Section 13 is amended to reduce the required down payment of members from \$150.00 to \$100.00.

Section 17, subsection (2) is amended to correct a reference to a form.

Section 19 is amended as to subsection (2) to permit more flexibility in dealing with refunds credited to members who are indebted to the association.

Section 25 is amended. Subsection (1) is amended to remove the requirement that loans under this Part of the Act bear interest, that is, loans made under Part II of the Act. Subsection (3) is struck out. That subsection provided that loans under Part II should not be for any period in excess of 5 years.

Section 26, subsection (1) is amended to make a reference to *The Rural Electrification Long Term Financing Act*.

Section 27a is added and will enable the Lieutenant Governor in Council to make previous loans under Part II of the Act interest free as well as enabling such loans to be extended beyond 5 years which is the greatest period now provided for in the loan agreements made under the provisions of Part II before the amendment made by this Act.

This Act came into force on March 29, 1956.



**RURAL MUTUAL TELEPHONE COMPANIES  
ACT AMENDMENT ACT**

(Chapter 48)

(Bill 27)

This Act amends *The Rural Mutual Telephone Companies Act*, being chapter 199 of the Revised Statutes of Alberta, 1942.

Section 7, clause (a) is amended to permit rural mutual telephone companies to enter into contracts with companies other than the Alberta Government Telephones.

This Act came into force on March 29, 1956.

**SCHOOL ACT, 1952 AMENDMENT ACT**

(Chapter 49)

(Bill 67)

This Act amends *The School Act*, 1952, being chapter 80 of the Statutes of Alberta, 1952.

Section 11, subsection (2) is amended to remove a possible conflict between sections 10 and 49.

Section 12 is amended by adding a new subsection (2). The amendment provides that a petition for the establishment of a separate school district is not to be presented within one or two years depending on the strength of the opposition of the voting on any previous petition that has been unsuccessful.

Section 26 is amended by replacing the present section with a new section. The amendment will provide that if all the lands of a district have been taken away by Ministerial Order the district is to be automatically dissolved without the necessity for an order in council.

Section 71 is amended by adding thereto a new subsection (5) which provides that the secretary of the division shall act as secretary of the district board for the purpose of that section in the case of a divisional district that has no secretary.

Sections 146 and 147 are amended. The amendments to these two sections make complaints regarding consolidated school districts a subject of inquiry by a judge. They also give the Minister a discretion to investigate a complaint regarding a consolidated school district or have the complaint referred to a judge when it relates to a rural separate school district. The amendments make it clear that a complaint may be

lodged with regard to the conduct of a meeting called for the purpose of voting on the establishment of a proposed district including in particular a proposed separate school district.

Section 175, clause (e) is amended. This section relates to the dissemination of information relating to the business of a non-divisional district and divisional board. The amendment will remove the restriction against the method of dissemination of such information.

Section 178 is amended by adding new subsections (4), (5), (6) and (7). The board of a division or non-divisional district may by subsection (3) of this section establish a college in affiliation with the University of Alberta. The new subsections (4) and (5) provide that two or more of such boards may establish such college jointly. The new subsections (6) and (7), which are retroactive to the date *The School Act, 1952*, came into force, give power to division and non-divisional district boards to agree with the Government of Canada to educate for a consideration children of persons in the forces or otherwise employed by the Government of Canada. Special school buildings may be erected for the purpose and special classes of pupils educated therein.

Section 182 is amended as to clause (e). The amendment will give non-divisional and divisional boards the power to make cash contributions to educational research organizations approved by the Minister. Previously it was only permissible to make such contributions to school fairs and festivals.

Section 186 is amended by the addition of a new clause (h) to subsection (1) and by a new subsection (2). The amendments give power for at least 10 electors from each subdivision of a division to requisition a meeting or regional meeting of the whole division.

Section 189, subsection (2) is amended. The amendment raises the maximum number of days in a year for which allowances may be paid to trustees in a division. In the case of the chairman the increase is from 15 to 25 days and in the case of other trustees from 10 to 15 days.

Section 193 is amended by adding a new subsection (3) which will permit signatures on cheques to be mechanically reproduced.

Section 216, subsection (2) and section 217 are each amended. The pur-

pose of these amendments is to ensure that, in the compulsory acquisition of sites for school buildings, mines and minerals are not thereby acquired.

Section 237 is amended. Section 237 provides that notice of a by-law authorizing borrowing by debenture and a poll on the by-law is not required in the case of a division where the total amount of the debenture and other capital borrowing authorized during the year does not exceed a certain amount. By the amendment borrowing to purchase school buses is not to be included when calculating that amount.

Section 274 is amended. The amendment provides that where in the case of a city district money raised by debenture borrowing turns out to be more than is required for the purpose for which it was borrowed, the surplus may, with the consent of the Board of Public Utility Commissioners, be applied to other purposes for which debenture borrowing is permissible. By this amendment the power of a city board becomes similar to the power of a city council under *The City Act*.

Section 314a is added. This new section will enable parents to designate by writing whether their child is to attend a public or separate school in the case where one parent is for the purpose of this Act deemed to be a resident of the separate school district and the other a resident of the public school district. A designation once made remains in force for 3 years and thereafter until changed. It must be made by September 10th to be effective for the current school year. If no designation is made the child is to attend school in the district in which the father is deemed to be a resident.

Section 331 is amended. This amendment and the amendment to section 332 provide that the secretary of a board instead of the chairman or secretary as at present is to be the person with whom teachers are to conclude contracts of employment.

Section 339 is amended as to subsection (3). *The School Act, 1952*, provides that a teacher may only terminate his contract of employment with effect from a date in July or August (unless he obtains the consent of the Minister). The amendment provides that the notice terminating the contract effective in July or August must not be given later than June 15th



unless the teacher enters into a contract with another board, in which case it must not be given later than July 15th.

Section 350, subsection (2) is amended. It is now provided that a dispute concerning the termination of a teacher's contract is not to be referred to the Board of Reference if the contract has been in effect for less than a year.

Section 360a is added. This new section will entitle a teacher to pay during unavoidable absence due to inclement weather, impassable road conditions or the failure of public transport.

Section 365, subsection (1) is amended. This amendment adds to the duties of a teacher the duty to attend meetings called by the board and relating to school organization or the improvement of instruction if the meeting is called on a school working day.

Section 377 is amended. *The School Act, 1952*, now provides that the board may set the opening date of a school on or about September 1st. The amendment prevents a school opening before September 1st unless there are special circumstances and the Minister consents.

Section 378, subsection (1) is amended. This amendment will give a school board authority to lengthen the Christmas vacation by not more than two days. Such extension may apply to a whole school or just part of a school.

This Act came into force on March 29, 1956.

## **SCHOOL SECRETARIES' SUPERANNUATION ACT**

(Chapter 50)

(Bill 3)

This Act, which is entitled "*The School Secretaries' Superannuation Act*", sets up machinery for a superannuation plan for secretary-treasurers of school divisions, certain designated personnel and the secretary-treasurers of the Alberta School Trustees' Association. The present superannuation plans relating to schools apply to teachers and this Act will provide for the aforesaid officials who are not teachers and thus not under any such plan. The plan is based upon salary deductions and compulsory employee contributions to the superannuation fund in the amount of 5% of gross salary as well as a compulsory contri-

bution by the employing board of school trustees and the association in an equal amount. An employee may make a further limited voluntary contribution based upon a percentage of his salary as shown in the Act.

This Act came into force on March 29, 1956, and is retroactive to the 1st day of January, 1956.

#### **SPECIAL AREAS ACT AMENDMENT ACT**

(Chapter 51)

(Bill 33)

This Act amends *The Special Areas Act*, being chapter 153 of the Revised Statutes of Alberta, 1942.

Section 13 is amended by the addition of a new clause (*kk*). The amendment will authorize the Minister of Municipal Affairs to dispose of real and personal property acquired in respect of a special area. While the Act authorized the Minister of Municipal Affairs to acquire such property there is no authority for his disposing of it thereafter.

This Act came into force on March 29, 1956.

#### **TEACHERS' RETIREMENT FUND ACT**

##### **AMENDMENT ACT**

(Chapter 52)

(Bill 73)

This Act amends *The Teachers' Retirement Fund Act*, being chapter 180 of the Revised Statutes of Alberta, 1942.

Section 2 is amended as to the definition of "salary" and the definition of "teacher". The existing definition of "salary" excludes remuneration for supervision of extra-curricular activities but the new definition leaves it to the Board of Administrators to decide whether such supervision is a regular school activity and as such properly included in the term "salary". The change in the definition of "teacher" brings full-time school librarians within the scope of the Act.

Section 5 is amended and section 6 is repealed. These amendments will remove the requirement that teachers need not contribute to the Teachers' Retirement Fund after completing 35 years' service. When the Act was originally passed the scheme was that contributions to the Fund should be

paid by the Department of Education and deducted from the grants paid by the Department to school boards. For this purpose the school boards were to submit reports to the Department concerning teachers' salaries. An amendment in 1949 provided that the Minister could require school boards to pay the contributions to the Fund and, as this has now been put into practice in nearly all cases, the reports concerning teachers' salaries are to be sent to the Board of Administrators of the Fund instead of to the Department.

Sections 7 and 7a are replaced by new sections 7, 7a and 7b. By these amendments the system by which the Province is to contribute to teachers' pensions is completely changed. Under the Act as it previously stood before the amendments, the Province could contribute to the Teachers' Retirement Fund up to 3½% of the teachers' salaries. By these amendments the Province will cease to contribute to the Fund but will carry one half of the expense of pension payments made on or after April 1st, 1956, except that if any payments out of the Fund relate to some extent to service before April 1939 the Province will to that extent carry the full amount of the payments. The money that the Province has paid into the Fund under the existing arrangement together with interest thereon will, in so far as it exceeds the amount that would have been paid under the proposed arrangement had it been in force since 1948, be used to pay the amounts to be paid by the Province under the proposed arrangement. When that money is exhausted the payments to be made by the Province will be made from moneys appropriated by the Legislature. With respect to teachers who retired before April 1948 the amendments provide that the Province is to carry the full expense of their pensions. The payment of pensions under the Act is also to be guaranteed by the Province.

Section 9 is amended by substituting a new subsection (1a). The amendment will give the Board of Administrators a wider selection of securities in which they may invest the Teachers' Retirement Fund.

Section 11 is repealed. This section is replaced by the new section 7, subsection (1).

This Act came into force on March 29, 1956.



TELEPHONE AND TELEGRAPH ACT  
AMENDMENT ACT

(Chapter 53)

(Bill 26)

This Act amends *The Telephone and Telegraph Act*, being chapter 198 of the Revised Statutes of Alberta, 1942.

The following new sections are added to the Act; (a) section 15. This section prohibits the attaching of recorder equipment to telephones of the Government telephone system. (b) Section 16. Subsection (1) of this new section authorizes the Minister of Telephones to provide approved recorder equipment to subscribers. Subsection (2) prohibits the use of recorder equipment on telephone equipment of the Government telephone system unless such equipment is approved recorder equipment that emits a signal while recording. Subsection (3) provides that the finding of recorder equipment, any part of which is attached to, placed on, over, under or adjacent to telephone equipment in such a manner that recording can be carried on through or by means of the recording equipment is admissible in evidence as *prima facie* proof that the recording equipment was being used to record messages in contravention of this section. Subsection (4) provides authority to remove telephone equipment for an infraction of the new section 16. (c) Section 17. Subsection (1) of this new section prohibits telephone listening or tapping devices being used on lines or wires of the Government telephone system except by servicemen of the telephone system or telephone answering services approved by the Minister and using approved equipment. Subsection (2) makes provision for the admissibility of evidence of contravention of the section. (d) Section 18. This new section provides penalties for offences connected with the foregoing new sections.

This Act came into force on March 29, 1956.

TEMPORARY PROVINCIAL EMPLOYEES  
RETIREMENT ACT

(Chapter 54)

(Bill 2)

This Act, which is called "*The Temporary Provincial Employees Retirement Act*", will provide a superannu-

ation retirement plan for employees of the Provincial Government who are employed temporarily and seasonally and do not therefore come under *The Public Service Pension Act*. The Act will be administered by the Pension Board under *The Public Service Pension Act* and temporary employees will be required to make contributions to a fund by means of deductions from salary. In addition the Government will contribute to the fund in an amount not exceeding 5% of the employee's salary. In other respects this Act carries much the same provisions as *The Public Service Pension Act*.

This Act is to come into force on Proclamation.

#### **TEMPORARY RESTRICTION ON ALIENATION OF MINES AND MINERALS ACT EXTENDING ACT**

(Chapter 55)

(Bill 20)

*The Temporary Restriction on Alienation of Mines and Minerals Act*, being chapter 67 of the Statutes of Alberta, 1955, is by its terms due to expire on July 1, 1956. This Act extends the expiration date to July 1st, 1957, so that that Act will be continued until 1957.

This Act came into force on March 29, 1956.

#### **TREASURY DEPARTMENT ACT AMENDMENT ACT**

(Chapter 56)

(Bill 79)

This Act amends *The Treasury Department Act*, being chapter 18 of the Revised Statutes of Alberta, 1942.

The amendment will increase the authorized salary for the Provincial Auditor from \$10,000.00 to \$12,000.00 per year.

This Act came into force on April 1, 1956.

#### **UNEARNED INCREMENT TAX ACT REPEAL ACT**

(Chapter 57)

(Bill 70)

This Act repeals *The Unearned Increment Tax Act*, being chapter 60 of the Revised Statutes of Alberta, 1942, and came into force on April 1, 1956.

**UNIVERSITY OF ALBERTA FOUNDATION ACT  
AMENDMENT ACT**

(Chapter 58)

(Bill 9)

This Act amends *The University of Alberta Foundation Act*, being chapter 21 of the Statutes of Alberta, 1947.

Section 6a, subsection (1), clause (a) is amended. The purpose of this amendment is to increase the authorized limit of moneys to be held by the Foundation from \$250,000.00 to \$1,000,000.00.

This Act came into force on March 29, 1956.

**VEHICLES AND HIGHWAY TRAFFIC ACT  
AMENDMENT ACT**

(Chapter 59)

(Bill 64)

This Act amends *The Vehicles and Highway Traffic Act*, being chapter 275 of the Revised Statutes of Alberta, 1942.

By this Act a new Part XII is added to *The Vehicles and Highway Traffic Act*. The new Part makes provision for financial responsibility cards which may be obtained in any of the modes set out in the new Part. If a motor vehicle is involved in an accident whereby injury or death is caused to any person or property damage of \$100.00 or more is occasioned the vehicle will be impounded unless a financial responsibility card is produced, or in the case of a non-resident of a reciprocating state or province a card similar to the financial responsibility card can be produced. For the purposes of the new Part financial responsibility may be established for the purpose of obtaining a financial responsibility card by bond or deposit or in the case of a corporation by an approved insurance fund or by carrying a motor vehicle liability policy of insurance.

The cards are either issued by the Registrar of Motor Vehicles or by an insured to whom the Registrar has supplied blank cards.

Failure to have a card when in an accident causing injury or death or occasioning property damage to the extent of \$100.00 will result in the immediate impoundment of the vehicle which, with certain exceptions, will remain impounded until security is deposited for the vehicle and a financial responsibility card obtained.



Provision is made for reciprocal arrangements with provinces having similar legislation so that their residents may use their own cards in Alberta and Alberta residents may use the Alberta cards in the other provinces.

This Act is to come into force on October 1, 1956.

**WATER, GAS, ELECTRIC AND TELEPHONE  
COMPANIES ACT AMENDMENT ACT**

(Chapter 60)

(Bill 74)

This Act amends *The Water, Gas Electric and Telephone Companies Act*, being chapter 260 of the Revised Statutes of Alberta, 1942.

Sections 26 to 29 are struck out and new sections substituted therefor. The amendments remove from *The Water, Gas, Electric and Telephone Companies Act* the present provisions authorizing expropriation for a right of way for companies coming under the Act where such rights of way are required outside urban areas. To replace these sections provisions similar to the provisions presently contained in *The Pipe Line Act*, 1952, are being placed in this Act. They will authorize a company under the Act to apply to the Minister of Highways for approval of its proposed right of way. Upon receiving such approval the company will either obtain the right of way by contract or expropriation. If the company finds it necessary to obtain the right of way by expropriation the company is required to apply to the Board of Public Utility Commissioners who will award compensation and make the necessary order as to interests affected, damage involved and lands to be affected. The proceedings of the Board and the enforcement of its orders are governed by *The Public Utilities Act*.

This Act came into force on March 29, 1956.

**WATER RESOURCES ACT AMENDMENT ACT**

(Chapter 61)

(Bill 68)

This Act amends *The Water Resources Act*, being chapter 65 of the Revised Statutes of Alberta, 1942.

Section 2 is amended by including therein a definition of "lands" and "provincial lands". The term "lands" has

not been defined in this Act though frequently used therein. "Provincial lands" is redefined to ensure that the term will not include mine or mineral interests vested in the Crown.

Section 72 is amended by striking out subsections (2), (2a) and (2b). New sections 72a to 72i are added immediately after section 72. The purpose of the latter amendments is to remove from the Act the present provisions authorizing expropriation by licensees coming under the Act where lands are required for the purposes of the undertakings of the licensee. By way of substitution provisions similar to the provisions now contained in *The Pipe Line Act, 1952*, are being placed in this Act. They will authorize a licensee to apply to the Minister of Agriculture for approval of its proposed routes and sites. Upon receiving such approval the licensee will either obtain the lands by contract or expropriation. If it is necessary for a licensee to obtain lands by expropriation the licensee will be required to apply to the Board of Public Utility Commissioners who will award compensation and make the necessary orders as to interests affected, damage involved and lands to be affected. The proceedings of the Board and the enforcement of orders are governed by *The Public Utilities Act*.

Section 81 is amended to correct an ambiguity in subsection (1) thereof and to include drainage districts within the local authorities listed in that subsection. Subsection (1) empowers municipalities and other local authorities to enter into agreements with the Province in respect of the matters set out in clauses (a) to (e) of that subsection. Subsections (2) and (4) are amended to conform to the amended subsection (1).

This Act came into force on March 29, 1956, but the definition of "lands" was made retroactive to the date *The Water Resources Act* came into force.

## **WORKMEN'S COMPENSATION ACT, 1948 AMENDMENT ACT**

(Chapter 62)

(Bill 60)

This Act amends *The Workmen's Compensation Act, 1948*, being chapter 5 of the Statutes of Alberta, 1948.

The amendments enacted by this Act result for the most part from the re-

commendations of the Special Legislative Committee on Workmen's Compensation.

Section 2 is amended to ensure that a "learner" is covered by compensation while he is undergoing training or probationary work.

Section 4 is amended to provide that in a case in which the amendment of 1952 had the effect of shortening the term of office of an existing commissioner the Lieutenant Governor in Council may extend the term of office of the commissioner beyond the age of 70 years so that the term will expire on the date it would have expired but for that amendment. Subsection (7), which is new, will authorize the making of regulations governing payment out of the Accident Fund of pensions and gratuities in the case of service of commissioners not coming within the scope of pensions under *The Public Service Pension Act*.

Section 9 is amended to make it clear that the Board has authority to let any portion or portions of their premises not immediately required for the purpose of the Board.

Section 13, subsection (1) is amended to remove an ambiguity in the present clauses (a) and (b) of this subsection.

Section 15 is amended as to subsections (1) and (2) to effect the recommendation of the Committee "that the words "heating, where practicable" be added after the word "sanitation", and that the same be done in clause (d) of subsection (2) of section 15.

Section 20 is amended. Section 20 provided that members of the family of an employer employed by him and dwelling in his house should not be deemed to be workmen within the scope of the act and compensation should not be payable out of the Accident Fund to them unless application to have them brought within the scope of the Act had been received and approved by the Board. The amendment will remove the exclusion against members of the families of employers if a workman is a member of the family of the employer and is not dwelling with the employer as a member of his household. Certain other amendments made in this section resulted from the recommendation of the Committee that the wage ceiling for compensation purposes be increased from \$3,000.00 to \$4,000.00 per year. The amendments



to subsections (3) and (8) will result in coverage being given only in the industry in respect of which application for coverage is made; while the amendment to subsection (7) increases the maximum compensation coverage under the section.

Section 21 is amended by the addition of four new subsections. The new subsections (3a), (3b) and (3c) are for the purpose of preventing workmen from collecting from two compensation boards or agencies for the same accident. The new subsection (4a) clarifies the position of the Board with regard to moneys paid or received under agreements with other compensation boards.

Section 22 is amended. The amendment will prevent workmen from collecting from two compensation boards or agencies for the same accident.

Section 23 is amended. Section 23 provided that when compensation payments had been made by the Board to a workman beyond the period of his disability the amount could be recovered by the Board as a debt due to the Board by the workman. The amendment will extend the application of this principle to compensation payments made to a dependant of a workman in excess of that to which the dependant is entitled.

Section 24 is amended to clarify subsections (5) and (10).

Section 25, subsection (5) is amended to provide that the workman be furnished by the employer with a copy of the first accident record report concerning the workman's accident.

Section 26, subsection (4) is amended to provide that the workman may be entitled to payment computed on the same basis as compensation for the period determined by the Board as being necessary for the purpose of the medical investigation.

Section 27 is amended to provide a greater choice of specialists, that is that more than two duly qualified physicians practising in the Province of Alberta shall be nominated by the Board, one of whom may be selected by the workman, and one of whom may be selected by the employer, and in the event of the two so chosen disagreeing, they shall be empowered to add a third member to their number, and the decision of the majority shall be conclusive as to the matters certified unless the Board at any time directs otherwise.

Section 30, subsection (2) is amended for clarification.

Section 31 is amended as to subsections (5) and (7). Subsection (5) provided that in the case of death or permanent total disability or in the case of permanent partial disability where the impairment of the earning capacity of the workman exceeded 10% of his earning capacity at the time of the accident, no commutation of periodical payments should be made except upon the application of and at the amount agreed to by the dependant or workman entitled to the payments. The amendment will reduce the limit to 5% of the workman's earning capacity. Subsection (7) provided that if a person entitled to compensation is committed to an institution the compensation otherwise payable to or in respect of such person may, in the discretion of the Board, be paid to the governing body of the institution. The amendment will permit the compensation to be paid to the dependent wife or other dependant of the workman instead of to the governing body of the institution.

Section 32 is amended. This section gave the Board power to divert compensation of a workman not residing in the Province from the workman to the spouse or children of the workman or to their benefit where the spouse or child or children are still residing in Alberta and without adequate means of support and are likely to become a charge upon the municipality where they reside or where the workman although still residing in the Province is not supporting the spouse and children and an order has been made against him by a court of competent jurisdiction for the support or maintenance of the spouse or children. The amendment broadens this section so that it may be used whether or not the workman is residing within or without Alberta and whether or not the spouse or children reside within or without Alberta where they require support or an order has been made against the workman by a court of competent jurisdiction.

Section 33 is amended to provide an increased allowance as a contribution to the additional expense occasioned upon the death of a workman. Previously the contribution was \$100.00. The amendment will make it \$150.00. Amendments increase the allowance to a dependent widow or dependent invalid widower to \$60.00 per month and the payment to a dependent child other

than a dependent invalid child is increased to \$30.00 per month regardless of the date of death of the workman. In addition an increase in payments in respect of all invalid children is made so that they will now be entitled to \$30.00 a month.

Section 33a is amended so that the section will apply to persons awarded compensation under the 1948 Act as well as preceding compensation Acts, and in addition the amendment increases the amount from \$50.00 to \$60.00 a month.

Section 33b is amended. It will now be necessary for a dependent common law wife to have cohabited with a deceased workman for two years immediately preceding his death instead of 7 years in order to qualify for compensation under this Act.

Section 33c is amended to include within the benefits provided by this section a dependent child who at the time of death of a workman is over the age of 16 and has not yet attained the age of 18 and who is attending an academic, technical or vocational school and making progress satisfactory to the Board.

Section 33f is amended to increase the amount payable to a dependent widow on remarriage to \$720.00 from \$600.00, and to remove therefrom a provision providing compensation to such a remarried widow if she should subsequently be in necessitous circumstances by reason of the death of a later husband or his confinement to gaol, prison or other institution.

Section 33h is amended to require that the average cost of accident be arrived at by averaging the fatal accident claims awarded in one year rather than averaging the fatal accident claims arising out of the accidents occurring in the one year.

Section 35, subsection (3) is amended. Subsection (3) provides that, where the impairment of the earning capacity of a workman does not exceed 10% of his earning capacity, then instead of such weekly payment the Board shall direct that such lump sum as may be deemed to be the equivalent of it shall be paid to the workman unless in the Board's opinion it would not be to the advantage of the workman to do so. The amendment will reduce the requirement of 10% of his earning capacity to 5% and will leave a discretion in the Board to direct the payment of a lump sum.



Section 39, subsection (3) is amended to provide that the wage ceiling for compensation purposes be increased from \$3,000.00 to \$4,000.00 per year.

Section 42 is amended as to subsection (4) by correcting a reference therein and by adding subsections (6) and (7) thereto empowering the Board to enter into an agreement with other compensation authorities whereby the authorities to the agreement would share the cost of a silicosis claim according to the exposure to silica by the claimants in the provinces concerned.

Section 43 is amended to provide that the per diem subsistence allowance be increased from \$5.00 to \$6.00 provided that where the Board provides all or part of the subsistence the allowance may be correspondingly reduced.

Section 52 is amended to provide that the wage ceiling for compensation purposes be increased from \$3,000.00 to \$4,000.00 per year. The amendment to subsection (8) corrects a grammatical error.

Section 54, subsection (2) is amended for the purpose of increasing the wage ceiling as noted heretofore.

Section 56, subsection (1) is amended to permit the Board to levy its provisional assessment where the employer has made his assessment too low.

Section 61 is amended to restrict the coverage presently afforded by the section. It was the opinion of the Committee that the section as previously enacted deemed as workmen many persons who by the very nature of their operations were not in essence workmen within the meaning of the Act.

Schedule I is amended to correct a printing error.

Section 33 of the Act provides that the benefits provided by the amending Act will not apply to accidents occurring before the coming into force of this Act except in certain cases specified.

This Act came into force on March 29, 1956.















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